

Zachary M. Best, SBN 166035
MISSION LAW FIRM, A.P.C.
332 North Second Street
San Jose, California 95112
Telephone: (408) 298-2000
Facsimile: (408) 298-6046
E-mail: service@mission.legal

Attorney for Plaintiff,
Francisca Moralez

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

FRANCISCA MORALES,

Plaintiff,

vs.

MAC ACQUISITION LLC dba ROMANO'S
MACARONI GRILL; 8000 EL CERRITO
INVESTORS LLC; MCD-RC CA-EL
CERRITO, LLC;

Defendants.

No. 4:17-cv-06021-HSG

**STIPULATED REQUEST TO EXTEND
DEADLINE TO CONDUCT MEDIATION
REQUIRED BY GENERAL ORDER 56;
ORDER**

Plaintiff, Francisca Moralez ("Plaintiff"), and Defendant, 8000 El Cerrito Investors LLC ("Defendant," and together with Plaintiff, "the Parties"), hereby stipulate as follows:

1. This matter arises out of Plaintiff's claim that she visited property owned and/or operated by Defendant and encountered conditions which prevented her full and equal access thereto as a result of her disabilities. Plaintiff alleges that Defendant violated Title III of the Americans with Disabilities Act and related California law. This matter therefore proceeds under this District's General Order 56 and related Scheduling Order.

2. The Parties timely conducted the required joint site inspection of the subject property and met and conferred on May 16, 2018. When a settlement was not reached, Plaintiff

**STIPULATED REQUEST TO EXTEND DEADLINE TO CONDUCT MEDIATION REQUIRED BY
GENERAL ORDER 56; ORDER**

1 filed a Notice of Need for Mediation on June 27, 2018 (Dkt. 29). On August 6, 2018, the Court
2 appointed mediator Kari Levine (“the Mediator”) (Dkt. 31).

3 3. Although not set forth in the Scheduling Order (Doc. 4), General Order 56
4 requires that the mediation take place “in no event later than 90 days from the Date the Notice
5 of Need for Mediation is filed, unless otherwise ordered by the assigned judge.” General Order
6 56, ¶ 7. Because the Notice of Need for Mediation was filed on June 27, 2018, the last date by
7 which the mediation can take place without an Order of the Court is September 25, 2018.

8 4. The Parties and the mediator were unable to agree upon a date and time that was
9 amenable to the Parties, their counsel, and the Mediator before September 25, 2018. However,
10 the Parties, their counsel, and the Mediator have now agreed that the mediation will take place
11 on October 15, 2018 at 10:00 a.m.

12 5. Therefore, subject to Court approval, the Parties request that the last date for the
13 mediation required by General Order 56 be continued from September 25, 2018 to October 15,
14 2018.

15 **IT IS SO STIPULATED.**

16
17 Dated: August 30, 2018

MISSION LAW FIRM, A.P.C.

18
19 /s/ Zachary M. Best

20 Zachary M. Best
21 Attorney for Plaintiff,
Francisca Moralez

22
23 Dated: August 30, 2018

JEFFER MANGELS BUTLER & MITCHELL
LLP

24
25 /s/ Martin H. Orlick

26 Martin H. Orlick
27 Stuart K. Tubis
28 Attorneys for Defendant,
8000 El Cerrito Investors LLC

STIPULATED REQUEST TO EXTEND DEADLINE TO CONDUCT MEDIATION REQUIRED BY
GENERAL ORDER 56; ORDER

1 **ATTESTATION**

2 Concurrence in the filing of this document has been obtained from each of the individual(s)
3 whose electronic signature is attributed above.

4 /s/ Zachary M. Best

5 Zachary M. Best

6 Attorney for Plaintiff,

Francisca Moralez

7 **ORDER**

8 The Parties having so stipulated, and good cause appearing,

9 **IT IS HEREBY ORDERED** that the last date by which the mediation mandated by
10 General Order 56 must be completed is continued from September 25, 2018 to October 15,
11 2018.

12 **IT IS SO ORDERED.**

13
14 Dated: August 31, 2018

15 
United States District Judge

16
17
18
19
20
21
22
23
24
25
26
27
28

STIPULATED REQUEST TO EXTEND DEADLINE TO CONDUCT MEDIATION REQUIRED BY
GENERAL ORDER 56; ORDER